

SENATE BILL 3255
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 7;
Title 11; Title 29; Title 43; Title 54; Title 64; Title 65
and Title 69, relative to the power of eminent
domain and property acquired by eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, Part 12, is amended by
adding the following as a new section:

Section 29-17-1203. If the state of Tennessee, its counties or municipalities or
any other entity so authorized by law exercises the power of eminent domain to acquire
land, and such land is judicially determined not to have been acquired for a public use or
public purpose, or the condemning entity no is longer in need of such land for the
purpose for which it was condemned, the condemning authority shall not sell such
property without first offering it for sale to the person from whom the property was taken,
or the person's heirs or assigns, at the price the condemning authority paid the property
owner for the property or for fair market value, whichever is less. If the offer is not
accepted within ninety (90) days from the date it is made, the property may be sold only
by public sale.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.